22nd April 1948] [Sri K. Madhava Menon]

" It is not at all a very pleasant thing to bring such penal measures before the House but times are such that we have to take preventive measures for the safety of the society as a whole."

DR. V. K. JOHN :—" I suggest, Mr. President, that the Government lay before this House information from time to time how many persons are registered as habitual offenders and what active steps the Government are taking from time to time to reform them."

The motion was put and carried and the Bill was passed into law.

V.—GOVERNMENT MOTION.

AMENDMENT TO SCHEDULES III AND IV TO THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920 (MADRAS ACT V OF 1920.)

THE HON. SRI K. CHANDRAMOULI :—" Mr. President, I move—

'*that the draft amendments to the Madras District Municipalities Act*, 1920 (*Madras Act V of* 1920) *which it is proposed to make in exercise of the powers conferred by section* 305-*A of the District Municipalities Act*, 1920 (*Madras Act V of* 1920) *be approved.*'

" These are merely rules to enable Councils and the Government to carry on the administration with efficiency. Schedule III contains rules concerning proceedings of the Council and Schedule IV, taxation and financial rules. The rules have been placed before hon. members and they are self-explanatory and are made for the convenience of administration and I hope hon. Members will approve them."

SRI R. SURYANARAYANA RAO :—" Mr. President, I am not sure Sir, that these rules are so innocuous as the Hon. Minister for local administration just now wishes us to understand. The papers were all sent to us only yesterday and we have had no time to go through them. They deal with very important matters which impose certain burdens on municipal councils. I will only take one instance to show to you that burdens have been imposed. A new sub-clause (*o*) under sub-rule 1 of rule 43 is inserted which reads: ' payment of such contribution towards the cost of training commissioners of municipalities as may be fixed by the Provincial Government.' Till now evidently municipal councils were not required to pay any contribution towards the training of municipal commissioners. As was pointed out by the Leader of the Opposition, even these schedules will become part of the Act. Though the notice given is an amendment to Schedule III and IV, it is practically an amendment of the Act, because the schedules form part of the Act. If that Act has been under discussion in this House, you would put the schedule also to the vote of the House

along with the other sections of the Act. I feel nervous to vote on any of these amendments without having proper opportunity of studying them. They run to seven pages and we received them only yesterday. After all, Sir, there is no urgency to have this amendment passed to-day; I suggest it can be taken up some other day so as to enable us to read through the pages and examine the rules. I do not know if the Schedules were published in the *Fort St. George Gazette* to enable the Municipal Councils and local bodies to express their views. That apart—perhaps that is a matter which under the statute they will have to do—so far as we are concerned, a little more time is necessary for us to study the schedules and the amendments proposed. I am sure even the Hon. Minister for Local Administration agrees that they are not so simple or innocuous as he would like us to treat them. I suggest that they may be taken up after we finish discussion of Bills tomorrow."

MR. PRESIDENT:—"This has to be finished before the end of the month; 25th April happens to be Sunday and the other House is meeting on the 26th."

SRI R. SURYANARAYANA RAO:—"Tomorrow these bills may not take much time."

THE HON. SRI K. CHANDRAMOULI:—"I do not mind; I have no objection."

MR. PRESIDENT:—"The Government motions will be taken up tomorrow."

IV.—GOVERNMENT BILLS—*cont.*

(5) THE MADRAS SALES OF MOTOR SPIRIT TAXATION (AMENDMENT) BILL, 1948 (L.A. BILL NO. 16 OF 1948).

THE HON. SRI B. GOPALA REDDI:—"Mr. President, I move—

> '*that the Madras Sales of Motor Spirit Taxation (Amendment) Bill,* 1948 (*L.A. Bill No.* 16 *of* 1948)[a] *as passed by the Legislative Assembly be taken into consideration.*'

"Sir, this is not a taxation measure and hon. Members need not be afraid that we are going to levy a tax on petroleum but this is a Bill which brings it on a par with the General Sales Tax Act. There is only one little point of a controversial nature, namely, the wording 'tax due', we change into 'tax assessed' and that matter also was accepted by this House when the General Sales Tax was before the House which is that criminal courts need not go into the question whether a tax is due or not. The others are non-controversial matters and they are of no consequence. Instead of the Commissioner of Commercial Taxes, we put in Deputy Commissioner and things like that. I request that the Bill may be taken into consideration."

[a] Printed as Appendix V on page 211 infra.